

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

TONIA HARVEY

PLAINTIFF

V.

CIVIL ACTION NO. 1:16-CV-171-SA-DAS

GUANGDONG KISENSE CO., LTD.

DEFENDANT

ORDER

Tonia Harvey filed this case seeking damages from the manufacturer, sellers, and importers of a pressure cooker that she alleges exploded and injured her. After navigating numerous procedural hurdles regarding service of process on the manufacturer, Guangdong Kisense Co., LTD, a Chinese company, the Court made an entry of Default, and entered a Default Judgment [89] in the Plaintiff's favor against Defendant Guangdong Kisense Co. on November 27, 2018. No determination as to damages was made at that time. On May 15, 2019, after a settlement conference with the Magistrate Judge assigned to this case, the Court was informed that the case was settled, and on June 24, 2019 the Court entered a form order explicitly retaining jurisdiction, and dismissing the case without prejudice by reason of the settlement. *See* Order [113]. Now before the Court is the Plaintiff's Motion to Vacate [113] the Court's Order [113] of dismissal, requesting that the Court reopen the case for the sole purpose of determining damages as to Defendant Guangdong Kisense Co.

The Court finds the Motion [113] to reopen the case well-taken and the case is reopened against Defendant Guangdong Kisense Co. only, for the sole purpose of determining damages. Plaintiff's counsel is instructed to contact the Court within 5 days to schedule a hearing on damages.

It is SO ORDERED on this the 3rd day of September, 2019.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE